

Exhibit "A"

**BLUME, FORTE, FRIED,
ZERRES & MOLINARI
A PROFESSIONAL CORPORATION**

ONE MAIN STREET
CHATHAM, NEW JERSEY 07928
(T) (973) 635-5400
(F) (973) 635-9339
Attorneys for Plaintiff(s)
Alexa C. Salcito – Attorney ID: 165522015

LINGJIE HE, and EDISON YIN her husband per
quod,

Plaintiffs,

v.

CAMELBACK RESORT; CBK LODGE
GENERAL PARTNERS, LLP; RYAN
WILLIAMSON; PAMELA TRUCHON; JOHN
DOE(S) 1-10; JANE DOES 1-10; and ABC
CORP(S) 1-10 (of fictitious names describing other
owners/operators, lessors/lessees, persons/entities,
natural or corporate who have an ownership interest
in the business and are responsible for maintenance,
repair, inspection and safety on said premises, or
who created or caused to be created certain
dangerous and hazardous conditions that led to
Plaintiff's injuries),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO: MID-L-

Civil Action

**COMPLAINT, JURY DEMAND,
DESIGNATION OF TRIAL
COUNSEL, DEMAND FOR
INSURANCE COVERAGE
AND DEMAND FOR
INTERROGATORIES**

Plaintiffs, LINGJIE HE and EDISON YIN, residing at 912 Meadow Court, Borough
of Helmetta, County of Middlesex, State of New Jersey, complains of the Defendants and
says:

FIRST COUNT

1. On or about December 20, 2019, the Plaintiff, LINGJIE HE, was lawfully on the premises of the Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), located at or near 301 Resort Drive, Tannersville, Pennsylvania, when sheets of ice and snow fell from entrance above the outdoor pool/Jacuzzi of Defendants and struck the Plaintiff.

2. The Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), are corporations of the State of New Jersey, are and were at all times mentioned a corporation in good standing.

3. The premises upon which Plaintiff was on was owned, operated, maintained, managed, cared for, possessed and controlled by the Defendants, CAMELBACK RESORT;

CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries).

4. It then and there became the duty of the Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), by and through their agents, servants and employees to use reasonable care to inspect and make the premises reasonably safe for the Plaintiff.

5. Notwithstanding said duty, the Defendants, by and through their agents, servants and employees, carelessly, recklessly and negligently caused and/or permitted the Plaintiff, LINGJIE HE, to suffer severe and permanent personal injuries, suffer and will continue to suffer great physical and mental pain, lose time from employment, suffer an impairment of earning capacity, require and will in the future be required to undergo medical treatments and/or hospitalizations in endeavoring to be cured of said injuries, has incurred and/or in the future will incur expenses for the treatment of said injuries, has been disabled

and will in the future be disabled and not able to perform her usual functions, and was and will be caused to suffer a loss of enjoyment of life.

WHEREFORE, Plaintiffs, LINGJIE HE and EDISON YIN, her husband per quod, demand judgment against the Defendants, together with interest and costs of suit.

SECOND COUNT

1. Plaintiffs repeats the allegations contained in the First Count and makes the same a part hereof by reference and incorporation.

2. Plaintiff's injuries and the manner in which she was injured are such that the instrumentality was under Defendants' control, and the injuries would not have been sustained but for the carelessness, negligence and recklessness of the Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), by and through their agents, servants and employees.

WHEREFORE, Plaintiffs, LINGJIE HE and EDISON YIN, her husband per quod, demand judgment against the Defendants, together with interest and costs of suit.

THIRD COUNT

1. Plaintiffs repeats the allegations contained in the First and Second Counts and makes the same a part hereof by reference and incorporation.

2. It then and there became the duty of the Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), by their agents, servants and employees to warn the Plaintiff and otherwise make known to the Plaintiff the dangers and risks of being on the premises of the Defendants.

3. Notwithstanding said duty, the Defendants, by and through their agents, servants and employees failed to warn or alert the Plaintiff.

WHEREFORE, Plaintiffs, LINGJIE HE and EDISON YIN, her husband per quod, demand judgment against the Defendants, together with interest and costs of suit.

FOURTH COUNT

1. Plaintiffs repeats the allegations contained in the prior counts and makes the same a part hereof by reference and incorporation.

2. The Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10;

JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), created and/or maintained a nuisance, which nuisance resulted in the injuries sustained by the Plaintiff as aforesaid.

WHEREFORE, Plaintiffs, LINGJIE HE and EDISON YIN, her husband per quod, demand judgment against the Defendants, together with interest and costs of suit.

FIFTH COUNT

1. Plaintiffs repeat the allegations contained in the First, Second, Third and Fourth Counts and makes the same a part hereof by reference and incorporation.

2. The Defendants, CAMELBACK RESORT; CBK LODGE GENERAL PARTNERS, LLP; RYAN WILLIAMSON; PAMELA TRUCHON; JOHN DOE(S) 1-10; JANE DOES 1-10; and ABC CORP(S) 1-10 (of fictitious names describing other owners/operators, lessors/lessees, persons/entities, natural or corporate who have an ownership interest in the business and are responsible for maintenance, repair, inspection and safety on said premises, or who created or caused to be created certain dangerous and hazardous conditions that led to Plaintiff's injuries), by and through their agents, servants and employees, maintained, operated, controlled and/or supervised a dangerous instrumentality and is/are, therefore, strictly liable for injuries which result from said dangerous instrumentality.

WHEREFORE, Plaintiffs, LINGJIE HE and EDISON YIN, her husband per quod, demand judgment on this count against Defendants for damages, interest and costs of suit.

SIXTH COUNT

1. Plaintiffs repeat the allegations contained in the prior count and make the same a part hereof by reference and incorporation. At all times hereinbefore and hereinafter mentioned, the Plaintiff, EDISON YIN, was and still is the spouse of the injured Plaintiff, LINGJIE HE, and as such is entitled to his services, support, society, companionship, love, solace and more.

2. By reason of the injuries sustained by the Plaintiff, LINGJIE HE, and as a result of the negligence, recklessness and carelessness of the Defendants aforesaid, the Plaintiff, EDISON YIN, has been and will in the future be deprived of her support, society, companionship, love, solace, consortium, services and more and has been compelled to and did expend various sums of money and sustained loss of various income as a result of the aforesaid negligence of the Defendants.

WHEREFORE, Plaintiffs, LINGJIE HE and EDISON YIN, her husband per quod, demand judgment against the Defendants, together with interest and costs of suit.

DEMAND FOR TRIAL BY JURY

Plaintiffs hereby demand a trial by jury as to all issues involved herein.

REJECTION OF ANY NOTICES OF ALLOCATION

Plaintiffs reject any Notices of Allocation asserted by any defendant(s), whether made pursuant to R. 4:7-5 or otherwise. Plaintiffs insists that the details upon which any claim of allocation is based be provided to Plaintiffs in a timely manner in discovery as is required by Young v. Latta, 123 N.J. 584 (1991).

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, ALEXA C. SALCITO, has been designated as trial counsel in the above matter.

DEMAND FOR INSURANCE COVERAGE

In accordance with R. 4:10-2, Defendants are demanded to provide a complete copy of their applicable liability insurance policies including any excess or umbrella policies with declaration sheets within thirty (30) days of service of this Complaint.

DEMAND FOR INTERROGATORIES

Plaintiff(s) demand that defendant(s) answer Form C and C(2) Interrogatories.

CERTIFICATION

I hereby certify that this matter is not the subject of any other action pending in any Court or a pending Arbitration proceeding, nor is any other action or Arbitration proceeding

MID-L-008767-20 12/28/2020 2:06:33 PM Pg 9 of 9 Trans ID: LCV20202361598

contemplated. All parties known to Plaintiff at this time who should have been joined in this action, have been joined.

**BLUME, FORTE, FRIED,
ZERRES & MOLINARI**
Attorneys for Plaintiffs

By: 
ALEXA C. SALCITO, ESQ.

DATED: December 28, 2020

SUMMONSAttorney(s) BLUME FORTE FRIED ZERES & MOLINARIOffice Address ONE MAIN STREETTown, State, Zip Code CHATHAM, NJ 0798Telephone Number 973-635-5400Attorney(s) for Plaintiff ALEXA C. SALCITO, ESQLINGJIE HE, ET-ALPlaintiff(s)

vs.

CAMELBACK RESORT, ET-ALDefendant(s)**Superior Court of
New Jersey**Middlesex CountyCIVIL DivisionDocket No: MID-L-008767-20**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

MICHELLE M. SMITHClerk of the Superior CourtDATED: 01/14/2021Name of Defendant to Be Served: CBK LODGE GENERAL PARTNERS, LLPAddress of Defendant to Be Served: 529 CAMELBACK ROAD, TANNERSVILLE, PA 18372

MIDDLESEX VICINAGE CIVIL DIVISION
P O BOX 2633
56 PATERSON STREET
NEW BRUNSWICK NJ 08903-2633

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 645-4300
COURT HOURS 8:30 AM - 4:30 PM

DATE: DECEMBER 28, 2020
RE: HE LINGJIE VS CAMELBACK RESORT
DOCKET: MID L -008767 20

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON JAMIE D. HAPPAS

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003
AT: (732) 645-4300 EXT 88371.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: ALEXA C. SALCITO
BLUME FORTE FRIED ZERRES & MOL
ONE MAIN ST
CHATHAM TWP NJ 07928

ECOURTS

Civil Case Information Statement

Case Details: MIDDLESEX | Civil Part Docket# L-008767-20

Case Caption: HE LINGJIE VS CAMELBACK RESORT
Case Initiation Date: 12/28/2020
Attorney Name: ALEXA CHRISTINE SALCITO
Firm Name: BLUME FORTE FRIED ZERRES & MOLINARI
Address: ONE MAIN ST
CHATHAM TWP NJ 07928
Phone: 9736355400
Name of Party: PLAINTIFF : HE, LINGJIE
Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PERSONAL INJURY
Document Type: Complaint with Jury Demand
Jury Demand: YES - 6 JURORS
Is this a professional malpractice case? NO
Related cases pending: NO
If yes, list docket numbers:
Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO
Are sexual abuse claims alleged by: LINGJIE HE? NO
Are sexual abuse claims alleged by: EDISON YIN? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

12/28/2020
Dated

/s/ ALEXA CHRISTINE SALCITO
Signed

